



Dept.: E/M

OSMM&N File No. 205742US6

By: BDL/SNS/dfd

Serial No. 09/833,731

In the matter of the Application of: Hirovuki TAKEMOTO, et al.

For: OPTICAL DISC AND OPTICAL DISC DRIVE APPARATUS

Due Date: NA

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Letter/Cover
- Petition under 37 CFR 1.181 (with attached copy of PTO 1449 filed 4-8-04)



COPY



nd



Docket No.: 205742US6



COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

RE: Application Serial No.: 09/833,731
Applicants: Hiroyuki TAKEMOTO, et al.
Filing Date: April 13, 2001
For: OPTICAL DISC AND OPTICAL DISC DRIVE
APPARATUS
Group Art Unit: 2655
Examiner: HINDI, N.Z.

SIR:

Attached hereto for filing are the following papers:

PETITION UNDER 37 C.F.R. §1.181 (with attached copy of PTO 1449 filed April 8, 2004)

We have not included a check as we do not believe any fee is required. In the event there are any Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

COPY

Bradley D. Lytle

Registration No. 40,073

Customer Number

22850

(703) 413-3000 (phone)
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Surinder Sachar
Registration No. 34,423



DOCKET NO: 205742US6

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HIROYUKI TAKEMOTO, ET AL. : EXAMINER: HINDI, N.Z.
SERIAL NO: 09/833,731 :
FILED: APRIL 13, 2001 : GROUP ART UNIT: 2655
FOR: OPTICAL DISC AND OPTICAL :
DISC DRIVE APPARATUS

PETITION UNDER 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In accordance with 37 C.F.R. §1.181, Applicants respectfully request the Examiner acknowledge consideration of U.S. Patent 5,453,974 cited in the PTO-1449 form filed with the Information Disclosure Statement (IDS) on April 8, 2004. The Examiner acknowledged the two Japanese references as noted on the attached copy of the PTO Form 1449 that accompanied the Notice of Allowance, but inadvertently omitted acknowledging the U.S. Patent 5,453,974.

Accordingly, it is respectfully requested this petition be granted and the consideration of the U.S. reference listed in the IDS filed on April 8, 2004 be acknowledged.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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OSMM&N File No. 205742US6

Dept.: E/M

By: BDL/kke

Serial No. 09/833,731

In the matter of the Application of: Hirovuki TAKEMOTO, et al.

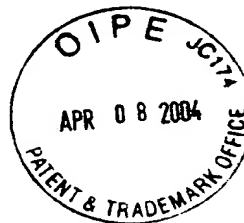
For: OPTICAL DISC AND OPTICAL DISC DRIVE APPARATUS

Due Date: 04/12/2004

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Information Disclosure Statement (In Duplicate)
- PTO-1449
- Cited References (3)
- ✓ ■ Check for \$770.00
- ✓ ■ Request for Continued Examination (RCE) Transmittal (In Duplicate)

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Docket No. 205742US6



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hiroyuki TAKEMOTO, et al.

SERIAL NO: 09/833,731

GAU: 2655

RCE FILED: Herewith

EXAMINER: Hindi, Nabil Z.

FOR: OPTICAL DISC AND OPTICAL DISC DRIVE APPARATUS

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Bradley D. Lytle

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(OSMMN 05/03)

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Form PTO 1449
(Modified)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.
205742US6SERIAL NO.
09/833,731

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Hiroyuki TAKEMOTO, et al.

FILING DATE

RCE FILED HEREWITH

GROUP

2655

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,453,974	09/26/1995	Takeshi MINODA, et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

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Technology Center 2600

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
NO	AO	04-315823	11/06/1992	JAPAN (w/ English Abstract)		
NO	AP	04-301263	10/23/1992	JAPAN (w/ English Abstract and Corresponding USP 5,453,974)		
	AQ					
	AR					
	AS					
	AT					
	AU					
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	
	AX	
	AY	
	AZ	

☐ Additional References sheet(s) attached

Examiner

Nabil Hinch

Date Considered

3/8/05

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.